

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x
ERMA SMITH,

Plaintiff,

- v. -

MICHAEL J. ASTRUE,
Commissioner of
Social Security,

Defendant.
- - - - -x

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED #: 9/24/09

ORDER
05 Civ. 9584 (LAK) (FM)

ORIGINAL

WHEREAS, this action was remanded to the
Commissioner of Social Security (the "Commissioner") for
further administrative proceedings on April 28, 2006, and

WHEREAS, on July 18, 2008, the Commissioner
issued a favorable decision on plaintiff's application for
benefits;

IT IS HEREBY ORDERED that this action is
dismissed with prejudice and without costs to either party.
The Clerk is directed to enter judgment.

Dated: New York, New York

September 24, 2009


United States District Judge